

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FREDERICK GRANT,

Defendant.

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Case No. 8:13CR429

FINDINGS AND RECOMMENDATION

This case came before the court for hearing on the defendant's Motion to Suppress (#16). The government was represented by Jill Finken, Special Assistant United States Attorney. The defendant was present and represented by Richard McWilliams, Assistant Federal Public Defender. Argument was heard and the court finds the motion should be granted in part and denied in part.

IT IS THE RECOMMENDATION to the Honorable Joseph F. Bataillon that the defendant's Motion to Suppress (#16) be granted, in part, as follows: The statement given by the defendant on October 3, 2013, is suppressed beginning at approximately 2 minutes and 58 seconds into the recorded interview, where the agent states to defendant, "... because you're in custody and [T.B.]'s not, I have to read you your rights."

A party may object to the magistrate judge's findings and recommendations by filing a "Statement of Objections to Magistrate Judge's Findings and Recommendations" within 14 days of being served with the findings and recommendations. The objecting party must comply with all requirements of NeCrimR 59.2.

Dated this 12th day of February 2014.

BY THE COURT:

s/ F.A. Gossett, III
United States Magistrate Judge